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December 22, 2022

VIA ECF

The Honorable Lorna G. Schofield
U.S. District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1106
New York, New York 10007

Re: *Adrian Jules v. Andre Balazs Properties, Andre Tomes Balazs, Balazs Investors, LLC, Hotels A.B., LLC*
Case No. 1:20-cv-10500-LGS

Dear Judge Schofield:

I represent the Plaintiff in connection with this matter and write to provide a status report pursuant to the Court's Opinion and Order (Dkt. No. 30), dated May 28, 2021, which stayed discovery pending the outcome of arbitration in California. This update arrives upon submission of an update from Defendants' Counsel, David Greenhaus dated December 19, 2022, that confirmed failure to meet and confer with our office as stipulated.

There is an interim decision pending and the arbitrator has asked for submissions on or before December 29, 2022, before he makes the order final. The Plaintiff/Claimant ("Mr. Jules") did not fail to appear. Mr. Jules asked that the arbitration be adjourned because of certain mental and physical disabilities he was suffering from at the time which the arbitrator did not accept.

As a result, I write today to inform the court that Plaintiff was involuntarily institutionalized under the *Baker Act* and was therefore unable to attend trial and/or confer with counsel during the time preceding trial to adequately prepare. The *Baker Act*, known as *Kendra's Law* in New York, establishes criteria for when involuntary treatment is appropriate for severely mentally ill people who do not want to seek treatment themselves.

The Plaintiff wanted to ensure the Court was aware of the entire circumstances rather than the one-sided recital from the Defendant so there is a clear record.

Respectfully Submitted,

Dated: December 22, 2022

Law Office of Thomas A. Farinella, PC

By: /s/Thomas A. Farinella
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